



PATENT
Attorney Docket No.: B0410/7280D1

AF
EFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPELLANT(S): Richard A. Gambale et al. CONF. NO. 7050
SERIAL NO.: 10/768,770 GROUP NO.: 1615
FILING DATE: January 29, 2004 EXAMINER: Carlos A. Azpuru
TITLE: IMBEDDED INTRAMUSCULAR IMPLANTS

CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to the MAIL STOP APPEAL BRIEF - PATENTS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 24th day of April, 2007.



Debra M. Doherty

MAIL STOP APPEAL BRIEF - PATENTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing is/are the following document(s):

1. Petition for Extension of Time;
2. Fee Transmittal;
3. Appeal Brief, in triplicate; and
4. Return Postcard

If the enclosed papers are considered incomplete, the Mail Room or other persons are respectfully requested to contact the undersigned collect at (617) 261-3100.

A check in the amount of \$620.00 is enclosed to cover the filing fee. If the fee is insufficient, the balance may be charged to Deposit Account No. 50-1721, Reference No. **B0410/7280D1**. A duplicate of this letter is enclosed for accounting purposes



Joyce C. Hersh
Reg. No.: 42,890
KIRKPATRICK & LOCKHART PRESTON
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One Lincoln Street
Boston, Massachusetts 02109-1808
Customer No.: 022832
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DATE: April 29, 2007

FEE TRANSMITTAL

FY 2007

APR 26 2007

Complete if Known	
Application Serial Number	10/768,770
Filing Date	January 29, 2004
First Named Inventor	Richard A. Gambale
Group Art Unit	1615
Examiner Name	Carlos A. Azpuru
Attorney Docket No.	B0410/7280D1
Confirmation No.	7050

METHOD OF PAYMENT

1. Payment Enclosed:
 Check Money Order Other

2. The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 50-1721.
 Required Fees (copy of this sheet enclosed).
 Additional fee required under 37 CFR 1.16 and 1.17.
 Overpayment Credit.
3. Applicant claims small entity status.

FEE CALCULATION

1. FILING/SEARCH/EXAM/SIZE FEES

Large Entity

Fee (\$)	Fee Description	Fee Paid
300	Utility filing fee	
500	Utility search fee	
200	Utility exam fee	
250	Utility size fee (each add'l 50 pgs. over 100)	
200	Design filing fee	
100	Design search fee	
130	Design exam fee	
250	Design size fee (each add'l 50 pgs. over 100)	

	Number Filed	Number Extra	Rate	Amount
Total Claims	- 20 =		x \$ 50.00 =	
Independent Claims	- 3 =		x \$200.00 =	
<input type="checkbox"/> Multiple Dependent Claim(s), if any			\$360.00 =	
			TOTAL:	
			SUBTOTAL (1) [] (\$)	0.00

2. AMENDMENT CLAIM FEES

Claims Remaining After Amend.	Highest No. Previously Paid For	Present Extra	Rate	Fee Paid	SUBTOTAL (3) [] (\$)
Total	- =		x \$ 50.00 =		
Indep.	- =		x \$200.00 =		
<input type="checkbox"/> First Presentation of Multiple Dep. Claim			+ \$360.00 =		
			TOTAL: [] (\$)		
			SMALL ENTITY DISCOUNT: [] (\$)		
			SUBTOTAL (2) [] (\$)	0.00	

CORRESPONDENCE ADDRESS

Direct all correspondence to:
Patent Administrator
Kirkpatrick & Lockhart Preston
Gates Ellis LLP
State Street Financial Center
One Lincoln Street
Boston, MA 02111-2950
Tel. No.: (617) 261-3100
Fax No.: (617) 261-3175

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee (\$)	Fee (\$)		
130	65	Surcharge - late filing fee or oath	
50	25	Surcharge - late provisional filing fee or cover sheet	
130	130	Non-English specification	
2,520	2,520	Request for ex parte reexamination	
120	60	Extension for reply within first month	120.00
450	225	Extension for reply within second month	
1020	510	Extension for reply within third month	
1590	795	Extension for reply within fourth month	
2160	1080	Extension for reply within fifth month	
500	250	Notice of Appeal	
500	250	Filing a brief in support of an appeal	500.00
1000	500	Request for oral hearing	
400	400	Petitions to the Commissioner (Gp. I)	
200	200	Petitions to the Commissioner (Gp. II)	
130	130	Petitions to the Commissioner (Gp. III)	
180	180	Submission of Information Disclosure Statement	
790	395	Filing a submission after final rejection (37 CFR 1.129(a))	
790	395	For each additional invention to be examined (37 CFR 1.129(b))	
100	100	Certificate of Correction for applicant's error	
130	65	Submission of Terminal Disclaimer	
Other fee (Specify)			
Other fee (Specify)			

SIGNATURE BLOCK

Respectfully submitted,

Joyce C. Hersh

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